

06/25/03
17668 U.S. PTO

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| UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small> | Attorney Docket No. 035718/263948 |
| | First Inventor Abad |
| | Title GENES ENCODING PROTEINS WITH PESTICIDAL ACTIVITY |
| | Express Mail Label No. EV 185285207 US |

10/606320
06/25/03

ADDRESS TO: **MAIL STOP PATENT APPLICATION
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450**

Transmitted herewith for filing in the United States Patent Office is a patent application for:

Inventors: Andre R. Abad; Ronald D. Flannagan; Rafael Herrmann; Theodore W. Kahn; Albert L. Lu;
Billy Fred McCutchen; James K. Presnail; James F.H. Wong; and Cao-Guo Yu

Assignee of this invention is E.I. du Pont de Nemours and Company
1007 Market Street
Wilmington, Delaware 19898

1. ☒ The Filing Fee has been calculated as shown below:
2. ☐ Applicant claims Small Entity Status. See 37 CFR 1.27.

| | No. Filed | No. Extra | Small Entity | | Large Entity | |
|---|-----------|-----------|--------------|-------|--------------|---------|
| | | | Rate | Fee 0 | Rate | Fee 1 |
| BASIC FEE | | | | \$ 0 | | \$ 750 |
| TOTAL CLAIMS: | 56 - 20 = | 36 | X 9 = | \$ 0 | x 18 = | \$ 648 |
| INDEP CLAIMS: | 14 - 3 = | 11 | X 42 = | \$ 0 | x 84 = | \$ 924 |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED | | | +140 = | \$ | +280 = | \$ |
| *If the difference in Column 1 is less than zero, enter "0" in Column 2. | | | TOTAL | \$ | TOTAL | \$ 2312 |

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit
Acct. No. 16-0605.

- a. ☒ Fees required under 37 CFR 1.16 (National filing fees).
b. ☒ Fees required under 37 CFR 1.17 (National application processing fees) including any
extension of time fees under 37 CFR § 1.136(a) that are required for consideration of
papers filed during prosecution.

☒ A check in the amount of \$ 2,312.00 for the filing fee is enclosed.

☐ The above filing fee will be paid along with Applicant(s) Response to the Notice to File Missing
Parts.

3. ☒ Specification; Total Pages 131

4. ☒ 8 Sheets of Drawing(s) (35 USC 113)
5. ☐ Declaration and Power of Attorney; [Total Pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR 1.63(d)(2) & 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76
7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☒ Computer Readable Copy (CRF)
 - b. ☐ Request for Transfer of Computer Readable Form of Sequence Listing
under 37 CFR § 1.821(e) and MPEP 2422.05 (must be compliant with new rules)
 - c. ☒ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☒ Paper (224 Pages)
 - d. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s) (including a check for the \$40.00 fee)
10. ☐ 37 CFR 3.73(b) Statement (*when there is an assignee*); ☐ Power of Attorney
11. ☐ English Translation Document (*if applicable*)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449; Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
15. ☐ Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
☐ Foreign Priority is claimed as Application No. , filed
16. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).
Applicant **must** attach form PTO/SB35 or its equivalent.
17. ☐ Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.
18. **If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below
and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:**
☐ Continuation ☐ Divisional ☐ Continuation in Part (CIP)
 of prior Application No: ; Filed


Prior Application Information: Examiner

Group/Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

CUSTOMER NUMBER 29122

Signature: 

Attorney/Agent of Record: Leigh W. Thorne

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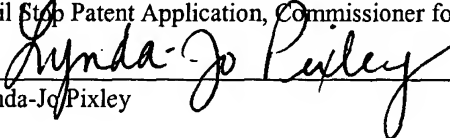
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"Express Mail" mailing label number EV 185285207 US

Date of Deposit June 25, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Lynda-Jo Pixley